

My name is Debbie Westlake. I am here today because I would like to share a small portion of my personal experience with the department as well as some interesting discoveries I've recently made.

Due to a then undiagnosed medical condition, in April 2015, I awoke in the hospital to find a copy of a paper (not a court order) stating DPHHS had taken custody of my son. I was hospitalized for 2 weeks and greatly appreciate the department's assistance during that time. However, instead of offering any kind of voluntary placement or respite care as the law and their own policy allow, my son was immediately placed into foster care until late August. During that time the department introduced us to visitation specialist, Andrew Lewis, who was responsible for transporting my child. Mr. Lewis often showed up at my house w/o my son on days no visits were scheduled & made numerous sexual advances towards me. I reported his actions to his coworker in October & never saw him again. Our case was dismissed in early November within days of Mr. Lewis' arrest on 4 counts of incest. He is currently serving 80 years on those charges along with another 10 years for witness tampering.

On February 16, 2016, after making arrangements to get my son to school, I was taken to the ER by ambulance. Approximately, 30 minutes after my arrival 2 CPS employees visited me there and stated that the department would once again be removing my son from my care. I'd like to be very clear here...there was NO court order nor warrant only a paper that stated reason of removal as "unable to parent to due medical reasons". There was also NO abuse, neglect, or substance abuse issues & NO imminent danger since he was in school. Yet despite the fact that I was only in the ER for 5 hours that day, my son was taken from school, once again immediately placed back into foster care and never allowed home again, not even for a supervised visit. Judge Michael Menahan stated "this is the closest I've ever come to dismissal for lack of evidence. It's obvious you love your son and would never harm him and you are certainly looking out for his best interests." and ordered the department to make visits more frequent and to fast track my son home. None of that happened, instead we were outsourced to Dan Fox Youth Homes for supervised visits in their office (which I would walk 2 miles to) and seemingly ignored. I was given a treatment plan which was not geared towards the reason of removal but instead based upon a psychological evaluation with a doctor the department specifically sent me to. Dr. Smelko, who I had only met one time in early April of 2016, also testified against me in court but nobody bothered to even contact the therapist I have been seeing since September of 2016 even though they had all required signed forms to do so. I completed all the requirements of my treatment except I did not establish care with a pain management clinic because when I attempted to do so I was refused treatment since I was not & am not on any narcotic pain killers. Even though I had a complete hysterectomy 5 months after the removal which identified and corrected my medical issue, every plea for reunification and/or even home visits fell on deaf ears and the department dragged our case out. Once the federally established timeline of being in placement passed, my parental rights terminated by the SAME JUDGE who had praised my efforts earlier on the basis that I was unable to change when I had clearly already done so. We appealed on 3 separate points including ineffective counsel, lack of reasonable efforts to reunify & that district court abused its discretion. With all respect to Justice Gustafson, I believe that the Supreme Court also failed to properly do their duty by simply not reading the court transcripts. The Supreme Court's affirmation only addresses the final issue & requests to revisit the others were denied. Yet, they recently overturned a similar parental rights case based on lack of reasonable efforts. I have discovered court documents where my public defender, Roger Renville, filed bankruptcy to cover his student loans in 1996 (ironically there is no mention of



law school whatsoever). These documents give a background of this man that includes substance abuse issues, severe lifelong mental problems with a suicide attempt that left him blind in one eye, years of family & marital issues and a 7-year period where he was absconding from the law on charges in WY while traveling the country with a fundamentalist religious group. His own wife called him "a broken man" who gets angry over nothing and his doctor testified that he would not characterize Roger as a "high functioning individual" and that he is not very organized and basically unable to stay on task. Yet THIS is what the state considers suitable representation?!

However, it is not simply my case that I find troubling. We have a county attorney who handles DN cases married to the CPS supervisor in the same county. Doesn't that seem like a conflict of interest? When parents stand up for their Constitutional rights and speak up against the department, criminal are being brought against them based on allegations and the department retaliates by prolonging cases. Helena's mayor is not only on the board of directors of United Way, who works hand in hand with CASA, but he is also listed in the state's employee data as a case worker for CPS. CASA and CPS should be independent voices...again conflict of interest. A newborn removed from the hospital by the department for "unwillingness to cooperate with this department." Where is that written in law as a definition of maltreatment? Representative Garcia and I personally watched CPS case workers and supervisor walk into the courtroom from Judge Reynolds' chambers IMMEDIATELY before he took the bench. Judge Reynolds then proceeded to have every support person of the mother, including Representative Garcia, removed from the courtroom, leaving a single mom without any support yet allowing a full group of CPS workers, attorneys and support staff for the department to remain, making this woman feel very intimidated.

In an effort to better understand how the funding is tied to all this, I have spent quite a bit of time on the state's transparency website. Fiscal year 2020 began July 1st of this year. Every credit card payment the state made is dated July 22nd. DPHHS' total payments equal \$378,235. Out of that airline fees alone total \$42,656.48 and hotel expenses, that include stays in Dallas, Oyster Bay NY and New Orleans (and many are to 4 plus star hotels) total \$73,878.46. There are other fiscal years that show payments to casinos such as the Venetian, Tropicana and Gold Coast in Las Vegas. There were over \$1.2million given to a local dentist in a year's time by the department. Most notably, I have found payments not only to the accounting firm the gentleman who adopted my son works for but to at least 2 of his immediate family members as well. And I still don't understand how ordering pizza the night before my son's removal shows an inability to properly care for him, yet the department can spend over \$6000 at candy vendors in one year and this is acceptable.

Just these few questionable instances I've mentioned, discovered by a person with no background in either research or investigative work, paint the department in an extremely unfavorable light and if I can find these kinds of suspicious connections it poses the question... what else is going on with this department whose mission statement is "Keeping children safe and families strong?" This certainly hasn't been my experience.

Many compare cases of forced adoption to our broken criminal justice system. But I would add one exception: Even though parents in my spot are put in a lifetime of punishment, we are often — as in my case — never convicted of or even charged with any crime. Yet the most precious thing, something even more precious than our own lives, is often stripped from us at the hands of people with (as evidence shows) worst pasts than our own with public records to show for it. I

don't condemn them, but this system makes it impossible to understand the condemnation of myself and my son.

Our state has an opportunity right now. We are rated #2 for seizing kids from their parents. We can do better. We can set an example. There is a growing movement in Montana and across the country to correct the wrongs that have been done to parents whose kids are taken in exchange for federal dollars. Let's be the place with leaders who acknowledge the damage done to its citizens, and have the courage to say 'enough is enough.'